

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Louis Boy Winters,

Court File No.: 13cv214 (MJD/SER)

Plaintiff,

v.

ORDER

U.S. Dept. of Justice;
FBOP-Branch FCI Sandstone, and
Scott Fisher,

Defendants.

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. Plaintiff has filed an objection. The Court has conducted a *de novo* review, and based on that review, the Court will adopt the Report and Recommendation dated May 30, 2013.

Accordingly, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application to proceed *in forma pauperis*, (Docket No. 2) is **DENIED AS MOOT**; and

2. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 26, 2013

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court